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UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

SHAWN JORDAN,

Plaintiff

v.

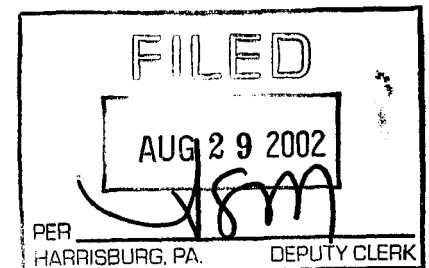
ROBERT W. MEYERS,
Superintendent, et al.,

Defendants

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CIVIL NO. 1:00-CV-1387

(Judge Caldwell)



O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

In June 2002, plaintiff Jordan filed a motion for partial summary judgment. On July 22, 2002, defendants filed their own motion for summary judgment in response. Defendants filed the requisite statement of material facts, supporting brief and declarations. Defendants' brief in support of their motion for summary judgment also served as their brief in opposition to plaintiff's partial motion for summary judgment.

However, the declarations submitted by defendants in support of their motion were unsigned. Presently before the Court is defendants' motion to substitute amended supporting documents in support of their motion for summary judgment and in opposition to plaintiff's motion for partial summary judgment (doc. 82). In support of that motion, defendants note that only recently did counsel secure the last signed declaration. Defendants admit that the signed declarations "differ from those filed on July 22, 2002

with defendants' brief." (Id.) Furthermore, because defendants' original supporting brief was also based upon the unsigned declarations, defendants request leave to file an amended brief in support of their motion for summary judgment which also served as their brief in opposition to plaintiff's motion for partial summary judgment.

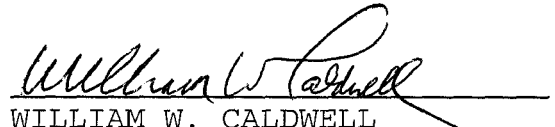
Procedurally, the timing of defendants' corrected materials and amended supporting brief necessitates granting Jordan an opportunity to respond to this new information as Jordan has already filed a response to defendants' motion for summary judgment. Thus, with the granting of defendants' motion (doc. 82) the Court will also allow Jordan to file a supplemental response to defendants' motion for summary judgment and reply brief in support of his motion for partial summary judgment.

AND NOW, this 29th day of August, 2002, it is ordered that:

1. Defendants' motion for leave to substitute amended supporting documents (doc. 82) is granted.
2. Defendants' amended brief and documents in support of their motion for summary judgment and in opposition to plaintiff's partial motion for summary judgment will be accepted by the Court in substitution for their original submission.
3. Within fifteen (15) days of this order, Jordan may, if he desires, state that he relies on his previously filed brief in opposition to defendants' motion for summary judgment, or may file an amended

brief in opposition accompanied by supporting documents.

4. Within fifteen (15) days of this order, Jordan may, if he desires, state that he relies on his previously filed reply brief in support of his partial motion for summary judgment, or may file an amended reply brief in support of his motion.


WILLIAM W. CALDWELL
United States District Judge